

REMARKS**Summary of the Office Action**

In the Office Action, claims 1-9, 12, 14, 15 and 18-21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Kawano (US 6,256,112).

Claims 16 and 17 are allowed.

Applicant thanks the Examiner for the indication that claims 10, 11, and 13 recite allowable subject matter.

Summary of Response to the Office Action

Applicant amends independent claims 1, 9, 18, 20, and 21 and dependent claims 22 and 23 to further define the invention. Accordingly, claims 1-23 are presently pending.

Rejection of independent claims 1, 9, 20, and 21 under 35 U.S.C. §102(e)

In the Office Action, claims 1-9, 12, 14, 15 and 18-21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Kawano (US 6,256,112). Applicant respectfully traverses the rejection under 35 U.S.C. §102(e) for at least the following reasons

Independent claims 1 and 9, as amended, both recite an image processing apparatus including, in part, “a plurality of independent parameters determine the reference value such that at least one of the plurality of independent parameters includes a plurality of predetermined ranges and another one of the plurality of independent parameters includes a plurality of dispersion values assigned to each predetermined range.” Similarly, amended independent claim 20 recites an image processing method and amended independent claim 21 recites a recording medium readable by a computer both including, in part, “a plurality of independent parameters determine the reference value such that at least one of the plurality of independent parameters includes a plurality of predetermined ranges and another one of the plurality of independent

parameters includes a plurality of dispersion values assigned to each predetermined range.”

Applicant respectfully submits that at least these features of independent claims 1, 9, 20, and 21, as amended, are neither taught nor suggested by Kawano.

In contrast to Applicant’s claimed invention, Kawano discloses, at col. 9, lines 1-50 and as depicted in FIGs. 7-9, implementation of two values α (predetermined threshold value for colored determination) and β (predetermined threshold value for non-colored determination) that are fixed throughout a color density distribution map while determining the color type of target data line. However, Kawano fails to teach or suggest changing the values of α and β so that each distribution domain uses different α and β . As shown in FIG. 9 of Kawano, non-colored domains have some predetermined range, intermediate domains have some predetermined domain, and colored domains have some predetermined domain all having fixed values α and β . On the other hand, as depicted in FIGs. 3-4 of the present application, for example, Applicant’s claims step-wise serial processes using a plurality of predetermined ranges and a plurality of dispersion values in which each dispersion value is different from one predetermined range to another to clearly identify the reference value and corresponding dispersion value. Thus, Applicant respectfully submits that Kawano fails to teach or suggest at least the features of independent claims 1, 9, 20, and 21, as amended.

Rejection of claim 18 under U.S.C. 35 U.S.C. § 102(e)

Independent claim 18, as amended, recites, an image processing apparatus including, in part, “the plurality of independent predetermined judging criterion variables include a plurality of predetermined ranges and a plurality of dispersion values assigned for each predetermined range.” Applicant respectfully submits that at least these features of amended independent claim 18 is neither taught nor suggested by Kawano.

In contrast to Applicant's claimed invention, Kawano only discloses a single parameter (threshold values α and/or β) that can be freely adjusted, and is completely silent about additional parameters that can be freely adjusted. Thus, Applicant respectfully submits that Kawano fails to teach or suggest at least the features of amended independent claim 18.

Accordingly, in light of arguments presented above, Applicants respectfully request that rejection of claims under 35 U.S.C. §102(e) be withdrawn since Kawano fails to teach or suggest every element of at least independent claims 1, 9, 18, 20, and 21 then Kawano fails to anticipate at least independent claims 1, 9, 18, 20, and 21, and hence dependent claims 2-8, 10-14, and 19. Furthermore, Applicant respectfully submits that dependent claims 2-8, 10-15, 19, and 22-23 are allowable for at least the same reasons as set forth above with regard to amended independent claims 1, 9, and 18 upon which they depend, as well as the individual features of dependent claims 2-8, 10-15, 19, and 22-23 recite.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.R.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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